

REMARKS

In the parent case, U.S. Patent Application Serial Number 10/079,982, the Examiner had rejected Claims 1 - 9 and 13 under 35 U.S.C. 103(a) as being unpatentable over Kucera et al. (US 4,306,802) in view of Bhagat (US 5,103,264).

Applicants have amended Claims 1 and 13 to further limit the configuration of the paper tray such that it is to include a recess formed within an interior of the tray with the desiccant contained in the paper tray recess proximate to the media for absorbing moisture from the environment of the paper tray.

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art references must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and must not be based on applicant's disclosure. MPEP, 7<sup>th</sup> ed. Revision 1, February 2000, § 706.02(j) citing *In re Vaek*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). The initial burden is on the examiner to provide some suggestion of the desirability of doing what the inventor has done. MPEP, 7<sup>th</sup> ed. Revision 1, February 2000, § 706.02(j) citing *Ex parte Clapp*, 227 USPQ 972, 973 (Bd. Pat. App. & Inter. 1985).

Neither Kucera et al. nor Bhagat teach a paper tray including a recess with a desiccant contained in the paper tray recess proximate to the media for absorbing moisture from the environment of the paper tray. Bhagat teaches placing a desiccant within the device housing as opposed to within the paper tray itself. The primary objective of Bhagat is control of moisture within the housing and the development module, improving operation of the scorotron, the corotron, and the thermal fusing element while helping to prevent paper being fed through the device from absorbing moisture, as opposed to control of moisture within a paper supply tray.

The desiccant material acts to absorb moisture primarily within the development module 22 and, secondarily, throughout the printer housing 12 by, as schematically illustrated in FIG. 1, being communicated with the housing 12 through holes 104 in the desiccant housing 100 and the well housing 58. The desiccant, once communicated to the development module 22, enhances toner consistency and attractability by absorbing moisture within the module and maintains the tribo-electric integrity between the toner and carrier. In addition to its primary effect of reducing humidity within the development module 22 and its attendant adverse effects, the desiccant also reduces humidity and its ill effects throughout the housing 12. By virtue of its being communicated with the interior of housing 12 via the holes 104, the desiccant 101 appreciably improves the operation of the scorotron 34, the corotron 48, and the thermal fusing element 50 in the presence of moisture and helps to prevent paper being fed through the device from absorbing moisture.

Bhagat, US 5,103,264, col. 9, lines 67 - 68 and col. 10 lines 1 – 18.

Notably, Bhagat does not even mention a paper tray, hence, Applicants respectfully submits that the motivation for combining the teachings of Bhagat and Kucera et al. is lacking.

Applicants believe the application is in condition for allowance and respectfully requests the same. If the Examiner is of a differing opinion he/she is hereby requested to conduct a telephonic interview with the undersigned attorney.



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